

**CASE**

**NUMBER:**

99 - 103

INDEX FOR CASE: 1999-103UAC  
SPRINTCOM, INC.

Construct  
CELL SITE - 307 NORTH MAIN STREET - CRITTENDEN, GRANT

IN THE MATTER OF THE APPLICATION OF SPRINTCOM, INC., FOR  
ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY TO CONSTRUCT A PERSONAL COMMUNICATIONS SERVICES  
FACILITY IN THE CINCINNATI BASIC TRADING AREA  
(CRITTENDEN FACILITY)

SEQ NBR	ENTRY DATE	REMARKS
M0001	03/25/1999	SANDRA KEENE / SPRINTCOM, INC.-NOTICE OF INTENT TO FILE
0001	05/03/1999	Application.
0002	05/04/1999	Acknowledgement letter.
0003	05/14/1999	No deficiency letter.
M0002	05/21/1999	DANIEL KOENINGER-LETTER IN FAVOR OF CELL SITE
0004	06/07/1999	Response sent to Daniel Koeninger.
M0003	06/07/1999	JOHN SIMKONIS GRANT CO PLANNING COMM-MEETING MINUTES FOR LOCATION OF CELL FACILITY
M0004	07/20/1999	SANDRA KEENE / SPRINTCOM, INC.-MOTION TO OVERRIDE DECISION OF GRANT COUNTY PLANNING COMMISS
M0005	08/05/1999	SANDRA KEENE SPRINTCOM-NOTICE OF FILING SUPPLEMENTAL MATERIAL
M0007	09/02/1999	JAMES PURCELL CITY OF CRITTENDEN-REQUEST FOR INTERVENTION (FAXED COPY NOT ORIGINAL)
0005	09/07/1999	Order granting the city of Crittenden intervention
M0006	09/07/1999	JAMES PURCELL CITY OF CRITTENDEN-REQUEST FOR INTERVENTION
0006	09/14/1999	Order scheduling 10/12 hearing; info due 9/30
M0008	10/05/1999	SPRINTCOM INC SANDRA KEENE-MOTION TO CANCEL HEARING & TO SUBMIT MATTER FOR APPROVAL ON THE
0007	10/12/1999	Order cancelling 10/12 hearing
M0009	10/12/1999	GRANT CO PLANNING COMM BECKY RUHOLL-(FAX) MOTION TO INTERVENE
M0010	10/13/1999	BECKY RUHOLL GRANT CO PLANNING COMM-MOTION TO INTERVENE
0008	10/15/1999	10/15/99 Letter to S. Keene, c: J. Pfaff re: Grant Co. Planning Comm./intervene
M0011	10/18/1999	SPRINTCOM SANDRA KEENE-APPLICANTS RESPONSE TO GRANT CO PLANNING COMM MOTION TO INTERVENE
0009	11/04/1999	Order granting Grant County Planning Commission intervention
0010	12/15/1999	FINAL ORDER GRANTING CONSTRUCTION



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

CERTIFICATE OF SERVICE

RE: Case No. 1999-103 UAC  
SPRINTCOM, INC.

I, Stephanie Bell, Secretary of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the following by U.S. Mail on December 15, 1999.

See attached parties of record.

*Stephanie J. Bell*

Secretary of the Commission

SB/sa  
Enclosure

Honorable Sandra F. Keene  
Tilford, Dobbins, Alexander  
Buckaway & Black  
1400 One Riverfront Plaza  
Louisville, KY. 40202

Jeffrey M. Pfaff  
Legal/Regulatory Department  
SprintCom, Inc.  
c/o Sprint PCS  
4900 Main Street, 11th. Floor  
Kansas City, MO. 64112

Hon. James L. Purcell  
ACKMAN, PURCELL & LORENZ, P.S.C.  
200 South Main Street  
P.O. Box 70  
Williamstown, KY. 41097 0070

Becky Ruholl  
Grant County Planning Commission  
101 North Main Street  
Williamstown, KY. 41097

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SPRINTCOM, INC. FOR A CERTIFICATE )  
OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT ) CASE NO.  
A PERSONAL COMMUNICATIONS SERVICES FACILITY IN THE ) 99-103 -UAC  
CINCINNATI BASIC TRADING AREA [CRITTENDEN FACILITY] )

O R D E R

On May 3, 1999, SprintCom, Inc. ("SprintCom") filed an application seeking a Certificate of Public Convenience and Necessity to build and operate a personal communications services ("PCS") facility for the Cincinnati Basic Trading Area. SprintCom has requested authorization to construct a PCS site in Grant County. SprintCom was previously granted the authority to operate in Case No. 97-294.<sup>1</sup>

The proposed PCS site is located at 307 North Main Street, Crittenden, Grant County, Kentucky ("the Crittenden PCS site"). The coordinates for the Crittenden PCS site are North Latitude 38° 47' 4" by West Longitude 84° 36' 00".

SprintCom has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the Crittenden PCS site. Based upon the application, the design of the tower and foundation conforms to applicable nationally

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<sup>1</sup> Case No. 97-294, The Application of SprintCom, Inc. for Operating Authority and Issuance of Certificate of Public Convenience and Necessity to Construct Personal Communications Services Facilities in Kentucky.

recognized building standards, and a Registered Professional Engineer has certified the plans.

Pursuant to KRS 100.987(2), SprintCom has submitted the uniform application to the Grant County Planning Commission ("GCPC") for the pending construction. The GCPC rejected the site, stating that better sites were available, yet in documents filed with this Commission it did not recommend any specific alternative sites. The Commission may override a Planning Commission rejection - KRS 100.987(5) - if the public convenience and necessity require the construction and if no suitable alternative exists. SprintCom has demonstrated that the public convenience and necessity requires the construction. Moreover, no specific alternative sites have been recommended to the Commission for radio frequency analysis. SprintCom has filed and received approval from the Federal Aviation Administration and the Kentucky Airport Zoning Commission for the construction and operation of the Crittenden PCS site.

SprintCom has filed notices verifying that each person who owns property within 500 feet of the Crittenden PCS site has been notified of the pending construction. The notice solicited any comments and informed the property owners or residents of their right to intervene. In addition, notice was posted in a visible location on the proposed site for at least two weeks after SprintCom's application was filed. The City of Crittenden intervened and a hearing was scheduled for October 12, 1999. Prior to the hearing, the City withdrew its opposition and the hearing was cancelled.

Pursuant to KRS 278.280, the Commission is required to determine proper practices to be observed when it finds, upon complaint or on its own motion, that the

facilities of any utility subject to its jurisdiction are unreasonable, unsafe, improper, or insufficient. To assist the Commission in its efforts to comply with this mandate, SprintCom should notify the Commission if it does not use this antenna tower to provide PCS radio telecommunications services in the manner set out in its application and this Order. Upon receipt of such notice, the Commission may, on its own motion, institute proceedings to consider the proper practices, including removal of the unused antenna tower, which should be observed by SprintCom.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that SprintCom should be granted a Certificate of Public Convenience and Necessity to construct and operate the Crittenden PCS site under its previously approved tariff.

IT IS THEREFORE ORDERED that:

1. SprintCom is hereby granted a Certificate of Public Convenience and Necessity to construct and operate the Crittenden PCS site.
2. SprintCom shall immediately notify the Commission in writing, if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of 3 months in the manner authorized by this Order.

Done at Frankfort, Kentucky, this 15th day of December, 1999.

By the Commission

ATTEST:

  
Executive Director



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**

730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

November 4, 1999

To: All parties of record

RE: Case No. 99-103 UAC

We enclose one attested copy of the Commission's Order in  
the above case.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell  
Secretary of the Commission

SB/sa  
Enclosure

Honorable Sandra F. Keene  
Tilford, Dobbins, Alexander  
Buckaway & Black  
1400 One Riverfront Plaza  
Louisville, KY 40202

Jeffrey M. Pfaff  
Legal/Regulatory Department  
SprintCom, Inc.  
c/o Sprint PCS  
4900 Main Street, 11th. Floor  
Kansas City, MO 64112

Hon. James L. Purcell  
ACKMAN, PURCELL & LORENZ, P.S.C.  
200 South Main Street  
P.O. Box 70  
Williamstown, KY 41097 0070

Becky Ruholl  
Grant County Planning Commission  
101 North Main Street  
Williamstown, KY 41097

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SPRINTCOM, INC. )  
FOR ISSUANCE OF A CERTIFICATE )  
OF PUBLIC CONVENIENCE AND )  
NECESSITY TO CONSTRUCT A PERSONAL ) CASE NO. 99-103-UAC  
COMMUNICATIONS SERVICES FACILITY )  
IN THE CINCINNATI BASIC TRADING AREA )  
[CRITTENDEN FACILITY] )

O R D E R

On May 3, 1999, SprintCom, Inc. ("SprintCom") filed its application in this matter. By letter dated June 2, 1999, the Grant County Planning Commission (the "Planning Commission") notified this Commission that it had, pursuant to its jurisdiction under KRS Chapter 100, rejected SprintCom's application. Subsequently, SprintCom filed a motion requesting that this Commission override the Planning Commission's rejection on the bases that service needs require a wireless telecommunications facility at the proposed location and that there is no suitable alternative site reasonably available upon which SprintCom can construct. See KRS 100.987(5)(a).

The City of Crittenden ("City") then moved to intervene in this matter, citing objections to the proposed site. The Commission granted the motion and scheduled a hearing for October 12, 1999. A copy of the Order was mailed to the Planning Commission, although it had not requested intervention. Shortly before the hearing was scheduled to take place, the Commission was notified that the City, the only intervenor in the case, no longer opposed the construction and that it wished to be dismissed as a

party. SprintCom then filed a motion to cancel the hearing and to submit the matter to the Commission. The Commission granted the respective motions of SprintCom and the City by Order dated October 12, 1999.

On October 13, 1999, the Planning Commission filed a motion to intervene in the case. It states that it had expected the City to "represent the Planning Commission and the citizens of the City of Crittenden and County of Grant in expressing our concerns on the placement of this tower," and that the City's unexpected withdrawal had precipitated the Planning Commission's motion to intervene. SprintCom has filed a response to the motion, arguing principally that 807 KAR 5:001, Section 3, requires a motion to intervene to be "timely," and that granting the Planning Commission's motion at this stage of the proceedings would unduly complicate them.

This Commission must agree. This case was docketed six months ago. A hearing has been scheduled and, by mutual agreement of the parties, canceled. Moreover, the Planning Commission itself held a hearing in regard to the proposed construction, rejected the application, and filed its decision with this Commission. Pursuant to KRS 100.897, this Commission may, on a motion to override, consider only the public convenience and necessity and whether an acceptable alternative site exists. Thus, the Planning Commission's views, and its decision, are already of record in this case.

The Commission, having been sufficiently advised, HEREBY ORDERS that the motion of the Grant County Planning Commission to intervene be, and it hereby is, denied.

Done at Frankfort, Kentucky, this 4th day of November, 1999.

By the Commission

ATTEST:

  
Executive Director

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

PUBLIC SERVICE  
COMMISSION

OCT 18 1999

RECEIVED

In the matter of:

APPLICATION OF SPRINTCOM, INC., )  
FOR ISSUANCE OF A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO CONSTRUCT A PERSONAL ) CASE NO. 99-103 UAC \*  
COMMUNICATIONS SERVICES FACILITY )  
IN THE CINCINNATI BASIC TRADING AREA )  
[CRITTENDEN FACILITY ] )

**APPLICANT'S RESPONSE TO GRANT COUNTY PLANNING  
COMMISSION MOTION TO INTERVENE**

Comes the Applicant, SprintCom, Inc., by counsel, and for its Response to the Grant County Planning Commission's Motion to Intervene in this matter states the following.

1. 807 KAR 5:001 Section 3 governs the procedure for intervening in matters before the Public Service Commission. These regulations require that a person or entity who wishes to become a party to the proceeding file a *timely* motion to intervene.
2. The Application herein was filed with the Public Service Commission on May 03, 1999. By letter to the Commission dated June 02, 1999, the Grant County Planning Commission ("Grant County") recommended denial of said Application.
3. The undersigned filed with this Commission a Motion to Override the Grant County recommendation on July 20, 1999. Applicant served a copy of said Motion upon Grant County.
4. On September 02, 1999, the City of Crittenden ("the City") moved to intervene in this matter. This Commission granted intervenor status to the City by Order dated September

\* Not conf.  
per PSC Legal Div. HV

07, 1999.

5. This Commission issued a scheduling Order on September 14, 1999, setting a hearing date for October 12, 1999. The Commission provided a copy of said scheduling order to Grant County for the "purpose of notification that the . . . scheduled hearing may affect locations and relocations of service facilities within the planning unit's jurisdiction." See Commission Order of September 14, 1999. Despite having had notice of the Applicant's challenge to their decisions and of the Commission's intention to hold a public hearing on the matter, Grant County filed no protest letter, no response to Applicant's motion, and made no motion to intervene prior to the scheduled hearing date.

6. As the City of Crittenden was the only intervenor in this matter,<sup>1</sup> Applicant contacted City officials and entered into negotiations to resolve whatever issues the City had with the proposed facility. The City and the Applicant entered into an agreement resolving said issues approximately one week prior to the scheduled hearing date. As a result of said agreement, the City moved to withdraw its intervention and SprintCom moved to cancel the hearing and to have the matter stand submitted on the record before the Commission.

7. On October 12, 1999, *the date upon which the hearing had been scheduled*, Grant County filed its motion to intervene.<sup>2</sup>

8. Grant County's motion to intervene should be denied, as it was not timely filed. As the City of Crittenden is the location of the proposed facility and the City has resolved its issues

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<sup>1</sup>For that matter, the only protest letter of any sort filed with the Commission was the City's letter.

<sup>2</sup>Grant County did not serve the Applicant with a copy of its motion to intervene. This Commission's staff made the Applicant aware by telephone call on October 14, 1999 that said motion had been filed. Applicant received a copy of the Grant County letter/motion by fax from the Commission on October 15, 1999.

with the Applicant regarding said facility, any interest on the part of Grant County has been adequately represented. To allow Grant County intervenor status at this late stage would unduly complicate this matter, and would prejudice both Applicant and the City with regards to their respective rights under their negotiated agreement.

Respectfully submitted,



Mark W. Dobbins

Sandra F. Keene

TILFORD, DOBBINS, ALEXANDER

BUCKAWAY & BLACK

1400 One Riverfront Plaza

Louisville, Kentucky 40202

(502) 584-6137

**Certificate of Service**

It is hereby certified that a copy of the foregoing was served this 15th day of October, 1999, via U.S. Mail, postage prepaid upon: The Grant County Planning Commission, 101 North Main Street, Williamstown, Kentucky 41097.



Sandra F. Keene



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KENTUCKY 40602  
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(502) 564-3940  
Fax (502) 564-1582

**Ronald B. McCloud, Secretary**  
**Public Protection and**  
**Regulation Cabinet**

**Helen Helton**  
**Executive Director**  
**Public Service Commission**

**Paul E. Patton**  
**Governor**

October 15, 1999

The Honorable Sandra F. Keene  
Tilford, Dobbins, Alexander  
Buckaway & Black  
1400 One Riverfront Plaza  
Louisville, KY 40202

RE: Case Number 99-103 UAC  
SPRINTCOM, INC.

Dear Ms. Keene:

I have enclosed a copy of a motion to intervene by Grant County Planning Commission for your information.

Sincerely,

*Stephanie Bell*

Stephanie Bell  
Secretary of the Commission

C: The Honorable Jeffrey M. Pfaff

SB/lc

enclosure



# Grant County Planning Commission

101 North Main Street

Williamstown, Kentucky 41097

Phone: 606-824-7770 Fax: 606-824-7796

[www.grantcopz.com](http://www.grantcopz.com)

[grantpz@internet.net](mailto:grantpz@internet.net)

RECEIVED  
OCT 13 1999  
PUBLIC SERVICE  
COMMISSION

October 12, 1999

Kentucky Public Service Commission (KYPSC)  
Attn: Helen C. Helton, Executive Director  
730 Schenkel Lane  
Frankfort, Kentucky 40602-0615

RE: Cell Tower for Case Number 99-103 UAC (307 North Main Street Crittenden, KY)

Dear Mrs. Helton:

The Grant County Planning Commission would like to make a Motion to Intervene with regards to the above case.

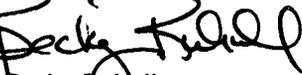
On May 24<sup>th</sup>, 1999 the Planning Commission held a hearing concerning this application. The Planning Commission made a recommendation to the PSC for denial. We received numerous comments from citizens and a strong concern from the City of Crittenden that the placement of the tower was in a residential area. Along with our recommendation of denial the City of Crittenden filed a letter of intervention on their own. We received notice of a hearing that was to be held on Oct. 12, 1999 but did not intervene because we believed that the City was going to uphold their decision of intervening in this matter. We have come to learn that the City has withdrawn their concerns. The Planning Commission still feels that their recommendation to deny the site should be upheld and we have received several calls from neighboring property owners and citizens concerning the tower and wish to be heard. The Planning commission is requesting that a hearing be scheduled in order to hear the concerns of the community and also the Planning Commission.

Please understand that we had very strong support from the City in our recommendation of denial and because of their support we believed that they would represent the Planning Commission and the citizens of the City of Crittenden and County of Grant in expressing our concerns on the placement of this tower. But do to their unexpected withdraw the Planning Commission would like an opportunity to express their concerns and also for the citizens to address this issue.

I hope that the Public Service Commission will accept this letter of intervention and allow the concerns to be addressed.

Please call me with any questions.

Thank you



Becky Ruhoff  
Grant County Planning Commission (606) 824-7770  
Ken Rylee  
Commission Attorney - (606) 371-3600

(FAX)

**Grant County Planning Commission**

101 North Main Street

Williamstown, Kentucky 41097

Phone: 606-824-7770 Fax: 606-824-7796

www.grantcopz.com grantopz@ciinternet.net

RECEIVED

OCT 12 1999

PUBLIC SERVICE  
COMMISSION

October 12, 1999

Kentucky Public Service Commission (KYPSC)  
Attn: Helen C. Helton, Executive Director  
730 Schenkel Lane  
Frankfort, Kentucky 40602-0615

RE: Cell Tower for Case Number 99-103 UAC (307 North Main Street Crittenden, KY)

Dear Mrs. Helton:

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I hope that the Public Service Commission will accept this letter of intervention and allow the concerns to be addressed.

Please call me with any questions.

Thank you

Becky Ruhoff  
Grant County Planning Commission (606) 824-7770  
Ken Rylee  
Commission Attorney - (606) 371-3600



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**

730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

October 12, 1999

Honorable Sandra F. Keene  
Tilford, Dobbins, Alexander  
Buckaway & Black  
1400 One Riverfront Plaza  
Louisville, KY. 40202

Jeffrey M. Pfaff  
Legal/Regulatory Department  
SprintCom, Inc.  
c/o Sprint PCS  
4900 Main Street, 11th. Floor  
Kansas City, MO. 64112

Hon. James L. Purcell  
ACKMAN, PURCELL & LORENZ, P.S.C.  
200 South Main Street  
P.O. Box 70  
Williamstown, KY. 41097 0070

RE: Case No. 99-103 UAC

We enclose one attested copy of the Commission's Order in  
the above case.

Sincerely,

  
Stephanie Bell  
Secretary of the Commission

SB/sa  
Enclosure

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF SPRINTCOM, INC., FOR )  
ISSUANCE OF A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO CONSTRUCT ) CASE NO.  
A PERSONAL COMMUNICATIONS SERVICES ) 99-103-UAC  
FACILITY IN THE CINCINNATI BASIC TRADING )  
AREA (CRITTENDEN FACILITY) )

O R D E R

On October 5, 1999, SprintCom, Inc. filed a motion to cancel the hearing and to submit the matter to the Commission. A letter from the sole intervenor seeking to withdraw the motion to intervene is attached to the motion.

The Commission, having considered the motion, HEREBY ORDERS that:

- 1) The hearing scheduled for October 12, 1999 is cancelled.
- 2) The intervenor's request to withdraw is granted.

Done at Frankfort, Kentucky, this 12th day of October, 1999.

By the Commission

ATTEST:

  
Executive Director

2/99

ACKMAN, PURCELL & LORENZ, P.S.C.  
ATTORNEYS AND COUNSELLORS AT LAW  
200 SOUTH MAIN STREET  
P.O. BOX 70  
WILLIAMSTOWN, KENTUCKY 41097-0070

Telephone: (606) 824-3361  
FAX: (606) 824-3529  
E-Mail: ackman@cinternet.net

JAMES L. PURCELL  
EDWARD J. LORENZ

JOHN LANE ACKMAN  
(1925-1981)

September 2, 1999

Hon. Helen Helton  
Executive Director Public Service  
730 Scheme Lane  
P. O. Box 615  
Frankfort, Kentucky 40602

RECEIVED  
SEP 02 1999  
PUBLIC SERVICE  
COMMISSION

Re: Case # 99-103-U.A.C., Sprint-Com, Inc.

Dear Ms. Helton:

This letter is to advise that the undersigned represents the City of Crittenden in the above referenced matter. It is the desire of the undersigned and the City that the City be permitted to intervene in the above action concerning placement of a cellular tower which is now being considered within the City of Crittenden. It is our understanding that a proceeding may be scheduled for September 23, 1999 at 9:00 a. m., in Frankfort, Kentucky, but we do not know the exact location or even if our information is correct.

Could you please advise if this letter is sufficient to effect intervention or if there is something more needed. If this letter is sufficient, please add the undersigned to any distribution list to receive all future notices.

With best regards, I remain,

Sincerely,

\_\_\_\_\_  
JAMES L. PURCELL



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**

730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

September 14, 1999

Honorable Sandra F. Keene  
Tilford, Dobbins, Alexander  
Buckaway & Black  
1400 One Riverfront Plaza  
Louisville, KY. 40202

Jeffrey M. Pfaff  
Legal/Regulatory Department  
SprintCom, Inc.  
c/o Sprint PCS  
4900 Main Street, 11th. Floor  
Kansas City, MO. 64112

Hon. James L. Purcell  
ACKMAN, PURCELL & LORENZ, P.S.C.  
200 South Main Street  
P.O. Box 70  
Williamstown, KY. 41097 0070

RE: Case No. 99-103 UAC

We enclose one attested copy of the Commission's Order in  
the above case.

Sincerely,

  
Stephani Bell  
Secretary of the Commission

SB/sa  
Enclosure

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SPRINTCOM, INC. FOR )	
ISSUANCE OF A CERTIFICATE OF PUBLIC )	
CONVENIENCE AND NECESSITY TO )	CASE NO.
CONSTRUCT A PERSONAL )	99-103-UAC
COMMUNICATIONS SERVICES )	
FACILITY IN THE CINCINNATI BASIC )	
TRADING AREA (CRITTENDEN FACILITY) )	

O R D E R

On May 3, 1999, SprintCom, Inc. ("SprintCom") filed an application with the Commission requesting a Certificate of Public Convenience and Necessity to construct and operate a cellular facility at 307 North Main Street, Crittenden, Grant County, Kentucky. Pursuant to KRS 100.987(2), SprintCom submitted the uniform application to the Grant County Planning Commission ("Planning Commission"). Subsequent to a public hearing on the matter, the Planning Commission disapproved the proposed construction. The Planning Commission's written record of the meeting in which the finding was made has been filed into the record in this case. This Commission may override the decision of the Planning Commission only if the public convenience and necessity require the construction and if there is no acceptable alternative site from which service can be provided. KRS 100.987(5).

The city of Crittenden has requested and has been granted intervention in this case. Accordingly, the Commission, on its own motion, has scheduled a hearing to assist it in determining whether the circumstances presented in this case require it to

override the decision of the Planning Commission. The hearing will be held on October 12, 1999, at 9:00 a.m., Eastern Daylight Time, in Hearing Room 2 of the Commission's offices at 677 Comanche Trail, Frankfort, Kentucky.

IT IS THEREFORE ORDERED that:

1. A hearing on the proposed cell site is scheduled for October 12, 1999, at 9:00 a.m., Eastern Daylight Time, in Hearing Room 2 of the Commission's offices at 677 Comanche Trail, Frankfort, Kentucky.

2. SprintCom shall appear at the hearing and be prepared to present testimony on the need to construct a facility to serve wireless telecommunications customers and on its efforts made to locate a facility at other, more suitable locations.

3. Neither opening statements nor witnesses' summaries of prefiled testimony shall be permitted.

4. Any interested person shall have the opportunity to present testimony or comment on the proposed cell site.

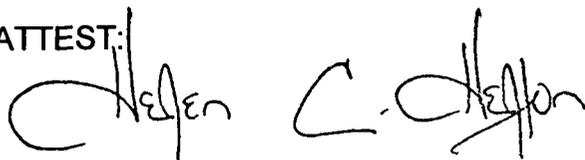
5. Prefiled testimony, if any, shall be filed by September 30, 1999.

6. Any party wishing to introduce at hearing evidence of potential alternative sites for the proposed facility shall file, not later than September 30, 1999, a document listing such dates.

7. Pursuant to KRS 100.324, a copy of this Order is being sent to the Grant County Planning Commission for the purpose of notification that the above-scheduled hearing may affect locations or relocations of service facilities within the planning unit's jurisdiction.

Done at Frankfort, Kentucky, this 14th day of September, 1999.

By the Commission

ATTEST:  
  

---

Executive Director



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**

730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

September 7, 1999

Honorable Sandra F. Keene  
Tilford, Dobbins, Alexander  
Buckaway & Black  
1400 One Riverfront Plaza  
Louisville, KY. 40202

Jeffrey M. Pfaff  
Legal/Regulatory Department  
SprintCom, Inc.  
c/o Sprint PCS  
4900 Main Street, 11th. Floor  
Kansas City, MO. 64112

Hon. James L. Purcell  
ACKMAN, PURCELL & LORENZ, P.S.C.  
200 South Main Street  
P.O. Box 70  
Williamstown, KY. 41097 0070

RE: Case No. 99-103 UAC

We enclose one attested copy of the Commission's Order in  
the above case.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell  
Secretary of the Commission

SB/sa  
Enclosure

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SPRINTCOM, INC., FOR )  
ISSUANCE OF A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO ) CASE NO.  
CONSTRUCT A PERSONAL COMMUNICATIONS ) 99-103-UAC  
SERVICES FACILITY IN THE CINCINNATI )  
BASIC TRADING AREA (CRITTENDEN )  
FACILITY) )

O R D E R

This matter arising upon the motion of the city of Crittenden, filed September 2, 1999, for full intervention, and it appearing to the Commission that the city of Crittenden has a special interest which is not otherwise adequately represented, and that such intervention is likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings, and this Commission being otherwise sufficiently advised,

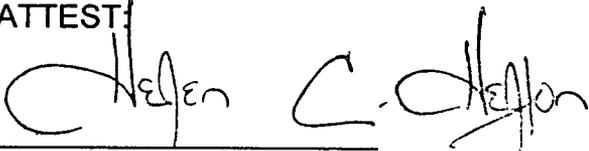
IT IS HEREBY ORDERED that:

1. The motion of the city of Crittenden to intervene is granted.
2. The city of Crittenden shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
3. Should the city of Crittenden file documents of any kind with the Commission in the course of these proceedings, it shall also serve a copy of said documents on all other parties of record.

Done at Frankfort, Kentucky, this 7th day of September, 1999.

By the Commission

ATTEST:

A handwritten signature in black ink, appearing to read "Stephen C. Coffey". The signature is written in a cursive style with a large initial "S" and "C".

Executive Director

ACKMAN, PURCELL & LORENZ, P.S.C.  
ATTORNEYS AND COUNSELLORS AT LAW  
200 SOUTH MAIN STREET  
P.O. BOX 70  
WILLIAMSTOWN, KENTUCKY 41097-0070

RECEIVED

SEP 07 1999

PUBLIC SERVICE  
COMMISSION

Telephone: (606) 824-3361  
FAX: (606) 824-3529  
E-Mail: ackman@cinternet.net

JAMES L. PURCELL  
EDWARD J. LORENZ

JOHN LANE ACKMAN  
(1925-1981)

September 1, 1999

Hon. Helen Helton  
Executive Director Public Service  
730 Scheme Lane  
P. O. Box 615  
Frankfort, Kentucky 40602

Re: Case # 99-103-U.A.C., Sprint-Com, Inc.

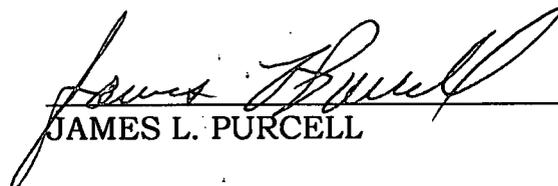
Dear Ms. Helton:

This letter is to advise that the undersigned represents the City of Crittenden in the above referenced matter. It is the desire of the undersigned and the City that the City be permitted to intervene in the above action concerning placement of a cellular tower which is now being considered within the City of Crittenden. It is our understanding that a proceeding may be scheduled for September 23, 1999 at 9:00 a. m., in Frankfort, Kentucky, but we do not know the exact location or even if our information is correct.

Could you please advise if this letter is sufficient to effect intervention or if there is something more needed. If this letter is sufficient, please add the undersigned to any distribution list to receive all future notices.

With best regards, I remain,

Sincerely,

  
JAMES L. PURCELL

## Grant County Planning Commission

Grant County Courthouse – 101 North Main Street  
Williamstown, Kentucky 41097

606 824 7770 – 606 824 7796 – [www.grantcopz.com](http://www.grantcopz.com)

Kentucky Public Service Commission (KYPSC)  
Attn: Helen C. Helton, Executive Director  
730 Schenkel Lane  
Frankfort, Kentucky 40602-0615

June 2, 1999

RE: Communications Services Facility – **Case Number 99-103 UAC.**

Dear Mrs. Helton:

On Monday April 26, 1999 the Grant County Planning Commission received an application from SPRINTCOM, Inc (4801 West Higgins Road – Suite 220, Rosemont, Illinois 60018), to construct a communications facility (“tower”) at 307 North Main Street, Crittenden, Grant County, Kentucky.

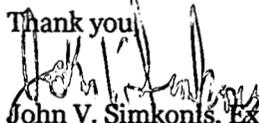
The Grant County Planning Commission met on May 24, 1999 to review SPRINTCOM’s application and will make the recommendation of disapproval for this site with the comments:

1. The application for this facility did not meet the requirements of the Grant County Comprehensive Plan.
2. The Grant County Planning Commission felt that there were better sites within the search ring of .6 miles.

Please see attached meeting minutes for more details on the public hearing for this communications facility (“tower”) at Crittenden.

In addition, please contact me with any questions about the hearing or application for SPRINTCOM.

Thank you

  
John V. Simkonis, Executive Director  
[john@grantcopz.com](mailto:john@grantcopz.com)

cc: Spectra Site Communications, Inc. – Terry Shumate, Zoning Manager

RECEIVED  
JUN 07 1999  
PUBLIC SERVICE  
COMMISSION

**GRANT COUNTY  
PLANNING  
COMMISSION**

~~~~~  
 GRANT COUNTY COURTHOUSE  
 101 NORTH MAIN STREET  
 WILLIAMSTOWN, KY 41097  
 (606) 824-7770  
 (606) 824-7796 fax  
 Web: [www.grantcopz.com](http://www.grantcopz.com)  
 Email: [grantpz@cinternet.net](mailto:grantpz@cinternet.net)

Regular Meeting to Conduct Business

**May 1999**

5/24/99 7:00 PM

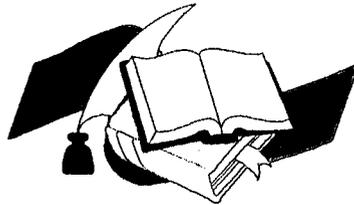
**Grant County Courthouse**

| ~~~~~ Agenda Topics ~~~~~                        |                                       |
|--------------------------------------------------|---------------------------------------|
| 1. Previous meeting minutes                      | Commission                            |
| 2. Financial report                              | Commission                            |
| 3. Public Hearing for a Zone Change - A-1 to R-1 | Vernon & Jo Ann Scott – County        |
| 4. Public Hearing for a Zone Change - A-1 to R-1 | Lonnie & Kay Kerr – County            |
| 5. Public Hearing for a Zone Change - R-1 to CBD | Jim Simpson/Francis Mitts – Dry Ridge |
| 6. Public Hearing for a Zone Change – R-2 to R-3 | CAC Properties – Crittenden           |
| 7. Public Hearing for a Zone Change - A-1 to R-1 | James & Vicki Cull – County           |
| 8. Public Hearing for a Zone Change - A-1 to RR  | Ronald Jones – County                 |
| 9. Public Hearing - Cell Tower Application       | 307 North Main Street – Crittenden    |
| 10. Public Hearing - Cell Tower Application      | 517 South Main Street – Williamstown  |
| 11. Public Hearing - Cell Tower Application      | 9350 Dixie Hwy. – County              |
| 12. Executive Session                            |                                       |
| 13. Plat reviews                                 |                                       |

# GRANT COUNTY PLANNING COMMISSION

## REGULAR MEETING

MAY 24 1999



### ITEM 9. PUBLIC HEARING – CELL TOWER – 307 NORTH MAIN STREET – CRITTENDEN

Chairman, John Lawrence declared the public hearing open at 7:55.

John Simkonis stated that all fees were paid and notices sent. He stated that the request was made by SPRINTCOM to locate a tower at 307 N. Main St in Crittenden. Staff Recommendation is approval – this request is not in conflict with the comprehensive plan. The findings are: 1. The current planning period and comprehensive plan calls for an increase in wireless technology to the county. 2. Towers are needed to supply services for wireless communications. 3. SPRINTCOM has met all application requirements for Grant County as stated in the Grant County Planning Commission Administrative Policy Number One (Regulations for Cellular Towers) 4. SPRINTCOM has requested a waiver for the following: a. tower have a height of 250 instead of 200 feet. B. The utility carrier use surrounding land around compound instead of designing off-street parking. He also stated that they requested that barbwire be allowed on the fence.

Terry Shumate, representative of SPRINTCOM, stated that they were asking for the variance to the height of 250 feet in order to reduce the number of towers needed. He stated that with the 250 ft. height there would be 4 towers and with 200 ft. would require possibly 4 more towers. He stated he felt the waiver was just and would benefit the county. Mr. Shumate stated that they requested the barbwire because the locations were not very visible and the barbwire would prevent anyone from entering the fence. He stated that the regulations require 1 off street parking and they were requesting that they not have to pave the parking or entrance area. He stated the regulations require landscaping when abutting a residential area, he stated that this site abuts a residential area on the East side and they were planning landscaping on the east and the north side even though the north side does not abut residential area.

Chairman, John Lawrence read a letter from Erpenbeck Engineers.

Steve Leesman stated that he visited several sites and most were paved and had barbwire, he stated even though the barbwire wasn't permitted he thought that it should be waived and be permitted. He also stated that the access drive and parking area should be paved.

Mr. Shumate stated that he agreed that the off street parking be paved but that the road to the asphalt plant should be considered the access drive and they are asking for a waiver in paving the parking area.

Nick Stevens, head R.F. Engineer, showed the commission propagation studies that showed the difference between a 200 ft. tower and a 250 ft. tower.

Mike Drysdale asked if there were 250 ft. towers and those towers became filled up would there be a need for new towers?

Mr. Stevens stated that there could be a need for smaller towers to fill in the area.

Mr. Shumate stated that the towers are co-locatable for 3 or more carriers depending on the weight. He presented a letter from AT&T stating that they were interested in using this tower for co-location and the height needed to be 240 ft.

The commission asked if anyone had talked to the city concerning this tower.

Mr. Shumate stated that he had not talked the city; he stated that his associate had talked to the Judge Executive concerning these sites and he personally had worked with Mr. Simkonis.

John Simkonis stated that the Planning Commission was the final stop for the county and it was not required that they go to the city.

Ken Rylee stated that now where is it required that anyone go to the city, the Planning Commission acts on behalf of everyone in the Joint Local Commission and their recommendation is forwarded to the PSC. He also stated that all the legislative bodies are represented on the planning commission and any comments could come through the representatives.

Chairman, John Lawrence asked if anyone wished to speak on the request.

Judge Executive, Darrell Link, stated he wanted to clarify the conversation with Mr. Barrymore. He stated that he told him that it would not be appropriate to locate in a residential area and should look at the Industrial Parks but there were no specific sites mentioned. Mr. Link stated that the Planning Commission was the voice for the county and if the 250 was approved does this open the door for another to request even more.

Mr. Perkins stated that it was his understanding that after this hearing the government was involved and the people had no say.

John Simkonis stated that the PSC could override the commission recommendation

Chairman, John Lawrence asked why they decided on this site.

Mr. Shumate stated that it would be less intrusive on the area because it was located next to an asphalt plan.

The Commission questioned about other sites that were considered.

Mr. Shumate stated that within the application was a list of other sites and reasons they were not chosen.

Marjorie Kenner asked the number that would be needed in between the 200 ft. towers.

Mr. Shumate stated it could be as many as 4 more.

Chuck Givin stated that 250 ft. would be better than 200 ft. because there would be fewer towers, he also stated he was concerned over what the appearance of the base units would be and that paving and landscaping should be required because the building could be seen.

Dick Austin stated that the tower could have been located in an Industrial area away from any residential developments

John Lawrence asked what the city or county gets from locating the towers.

Mr. Shumate stated that the residents get better service and they also give the city and county opportunities to place emergency equipment on the towers free of charge. He also stated that the base unit is 16 x 11 concrete pad that holds cabinets in which the equipment is located.

The Commission questioned if the Industrial Park was considered.

Ken Rylee stated that the only information that can be discussed is information particular to this site.

Martha Hicks, Mayor of Crittenden, stated that this area was to develop and could be located in an area that was less likely to develop.

Mr. Shumate stated that there is a certain search ring that it is determined that the tower must be placed in order to connect the network.

Mr. Stevens stated that the search ring is 0.6 miles in diameter.

The commission discussed going into executive session to discuss the other locations that were discovered.

Chuck Givin questioned if 3 boxes and the concrete pad were enough for future co-locations.

Mr. Shumate stated that it was a possibility that there would be a need for more boxes and more concrete pads.

Mike Drysdale made a motion to go into executive session section 61.810 (g), Robert Worthington seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

Mike Drysdale made a motion to come out of executive session, Brooke Wooton seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

Chairman, John Lawrence stated that no action was taken and also informed the commission that criminal action could be taken if anything they discussed was released.

Ken Rylee Stated that the Commission must forward a recommendation 60 days after the date of application or the site is automatically approved.

Mr. Shumate stated that he had talked to the Mayor of Crittenden and he would agree to adding slats to the fence and landscaping around the entire site, and agree to a legal written agreement that they would maintain the cabinetry and replace any landscaping in a reasonable amount of time.

Chairman, John Lawrence declared the public hearing closed at 10:02.

William Covington stated he thought the access drive and parking area should be paved.

Mr. Shumate stated that he withdrew that request for a waiver.

Sam Womble made a motion to accept the request with the waiver allowing 250 ft. tower, they paved the parking and access area, 8 ft. with barbwire and slats be constructed with landscaping and a written agreement be drawn up stating the company would provide maintenance of the exterior of the equipment and replace landscaping within a reasonable amount of time, Vernon Webster seconded the motion. A roll call vote was taken: Vernon Webster – yes, Robert Worthington – yes, Samuel Womble – yes, Dudley Peddicord – yes, Mike Drysdale – no, William Covington – no, Steven Mann – no, Brooke Wooton – no and John Lawrence – no. Motion fails 5 to 4.

Mike Drysdale made a motion to deny the request because better sites could be available, Brooke Wooton seconded the motion. A roll call vote was taken: Vernon Webster – no, Robert Worthington – yes, Samuel Womble – yes, Dudley Peddicord – yes, Mike Drysdale – yes, William Covington – yes, Steven Mann – yes, Brooke Wooton – yes. Motion passes 7 to 1.



main

COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KENTUCKY 40602  
www.psc.state.ky.us  
(502) 564-3940  
Fax (502) 564-3460

**Ronald B. McCloud, Secretary**  
**Public Protection and**  
**Regulation Cabinet**

**Helen Helton**  
**Executive Director**  
**Public Service Commission**

**Paul E. Patton**  
**Governor**

June 7, 1999

Mr. Daniel J. Koeninger, PE  
Asst. Regional Manager  
Barrett Paving Materials Inc.  
7374 Main Street  
Cincinnati, OH 45244

Re: Case No. 99-103 UAC

Dear Mr. Koeninger:

The Commission is in receipt of your letter concerning the above application for approval to construct a cell facility. The Commission will carefully analyze this application before rendering its final decision. If you wish to intervene in this matter, you must notify the Commission in writing. The Commission greatly appreciates your input in this matter.

It may be helpful for you to know that authority, specifically that of the Public Service Commission, in this matter has been limited by federal law. For example, Section 704 of the federal Telecommunications Act of 1996 prohibits this Commission from regulating the placement of wireless facilities on the basis of environmental effects of radio frequency emissions to the extent the facilities comply with Federal Communications Commission regulations. Section 704 also prohibits a state or local government from prohibiting telecommunications facilities construction if such denial will have the effect of prohibiting service. In addition, this Commission is required by statute to ensure that utility service, including telecommunications service, is adequate and reliable. The Commission does, however, consider appropriate placement of necessary facilities within applicable engineering boundaries. It also pursues a policy of collocation of facilities whenever possible.



AN EQUAL OPPORTUNITY EMPLOYER M/F/D

Mr. Daniel J. Koeninger  
Page Two  
June 7, 1999

Thank you for your interest and concern in this matter.

Sincerely,



Stephanie Bell  
Secretary of the Commission

SB/rm



AN EQUAL OPPORTUNITY EMPLOYER M/F/D



**BARRETT PAVING MATERIALS INC.**

7374 MAIN STREET • CINCINNATI, OH 45244 • (513) 271-6200 • FAX (513) 271-2875

May 17, 1999

Executive Director  
Public Service Commission  
PO Box 615  
Frankfort, Kentucky 40502

Re: Docket No. 99-103 UAC

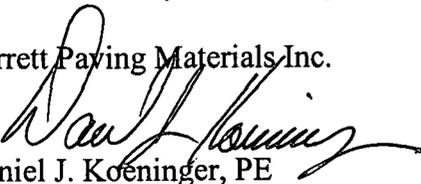
Gentlemen,

We have received notice regarding the above referenced action pending before the Commission.

We are in favor of the facility being constructed. The location in our opinion is appropriate. The extended service obtained by this installation will be a benefit to many in the area.

If I can be of any assistance please feel free to contact me,

Barrett Paving Materials Inc.

  
Daniel J. Koeninger, PE  
Asst. Regional Manager

RECEIVED  
MAY 21 1999  
PUBLIC SERVICE  
COMMISSION

CORPORATE OFFICE: THREE BECKER FARM ROAD • ROSELAND, NJ 07068

MANUFACTURERS AND SUPPLIERS OF BITUMINOUS CONCRETE, AGGREGATE, CONSTRUCTION CONTRACTORS  
EQUAL OPPORTUNITY EMPLOYER



**BARRETT PAVING MATERIALS INC.**

7374 MAIN STREET • CINCINNATI, OH 45244 • (513) 271-6200 • FAX (513) 271-2875

May 17, 1999

Executive Director  
Public Service Commission  
PO Box 615  
Frankfort, Kentucky 40502

Re: Docket No. 99-103 UAC

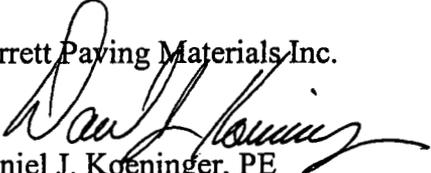
Gentlemen,

We have received notice regarding the above referenced action pending before the Commission.

We are in favor of the facility being constructed. The location in our opinion is appropriate. The extended service obtained by this installation will be a benefit to many in the area.

If I can be of any assistance please feel free to contact me,

Barrett Paving Materials Inc.

  
Daniel J. Koening, PE  
Asst. Regional Manager

RECEIVED  
MAY 21 1999  
PUBLIC SERVICE  
COMMISSION

CORPORATE OFFICE: THREE BECKER FARM ROAD • ROSELAND, NJ 07068

MANUFACTURERS AND SUPPLIERS OF BITUMINOUS CONCRETE, AGGREGATE, CONSTRUCTION CONTRACTORS  
EQUAL OPPORTUNITY EMPLOYER



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**

730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

May 14, 1999

Honorable Sandra F. Keene  
Tilford, Dobbins, Alexander  
Buckaway & Black  
1400 One Riverfront Plaza  
Louisville, KY. 40202

Jeffrey M. Pfaff  
Legal/Regulatory Department  
SprintCom, Inc.  
c/o Sprint PCS  
4900 Main Street, 11th. Floor  
Kansas City, MO. 64112

RE: Case No. 99-103 UAC  
SPRINTCOM, INC.

The Commission staff has reviewed your application in the above case and finds that it meets the minimum filing requirements. Enclosed please find a stamped filed copy of the first page of your filing. This case has been docketed and will be processed as expeditiously as possible.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell  
Secretary of the Commission

SB/sh  
Enclosure

**FILED**

MAY 3 1999

**PUBLIC SERVICE  
COMMISSION**

**COMMONWEALTH OF KENTUCKY**

**BEFORE THE PUBLIC SERVICE COMMISSION**

In the matter of:

APPLICATION OF SPRINTCOM, INC., )  
 FOR ISSUANCE OF A )  
 CERTIFICATE OF PUBLIC CONVENIENCE AND )  
 NECESSITY TO CONSTRUCT A PERSONAL )  
 COMMUNICATIONS SERVICES FACILITY )  
 IN THE CINCINNATI BASIC TRADING AREA )  
 [CRITTENDEN FACILITY ] )

CASE NO. 99-103 UAC

SprintCom, Inc., as filed an application to construct a wireless telecommunications facility at 307 North Main Street, Crittenden, Grant County, Kentucky. The coordinates for the proposed facility are: Latitude:38-47-04 ; Longitude: 84-36-00.



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**

730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

May 4, 1999

Honorable Sandra F. Keene  
Tilford, Dobbins, Alexander  
Buckaway & Black  
1400 One Riverfront Plaza  
Louisville, KY. 40202

Jeffrey M. Pfaff  
Legal/Regulatory Department  
SprintCom, Inc.  
c/o Sprint PCS  
4900 Main Street, 11th. Floor  
Kansas City, MO. 64112

RE: Case No. 99-103 UAC  
SPRINTCOM, INC.  
(Construct) CELL SITE - 307 NORTH MAIN STREET - CRITTENDEN, GRANT

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received May 3, 1999 and has been assigned Case No. 99-103. In all future correspondence or filings in connection with this case, please reference the above case number.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell  
Secretary of the Commission

SB/jc

**FILED**

MAY 3 1999

**PUBLIC SERVICE  
COMMISSION**

**COMMONWEALTH OF KENTUCKY**

**BEFORE THE PUBLIC SERVICE COMMISSION**

In the matter of:

|                                       |   |                     |
|---------------------------------------|---|---------------------|
| APPLICATION OF SPRINTCOM, INC.,       | ) |                     |
| FOR ISSUANCE OF A                     | ) |                     |
| CERTIFICATE OF PUBLIC CONVENIENCE AND | ) |                     |
| NECESSITY TO CONSTRUCT A PERSONAL     | ) | CASE NO. 99-103 UAC |
| COMMUNICATIONS SERVICES FACILITY      | ) |                     |
| IN THE CINCINNATI BASIC TRADING AREA  | ) |                     |
| [CRITTENDEN FACILITY ]                | ) |                     |

SprintCom, Inc., as filed an application to construct a wireless telecommunications facility at 307 North Main Street, Crittenden, Grant County, Kentucky. The coordinates for the proposed facility are: Latitude:38-47-04 ; Longitude: 84-36-00.

FILED  
MAY 03 1999  
PUBLIC SERVICE  
COMMISSION

~~FILED  
APR 30 1999  
PUBLIC SERVICE  
COMMISSION~~

RECEIVED

MAR 25 1999

TILFORD, DOBBINS, ALEXANDER,  
BUCKAWAY & BLACK

ATTORNEYS AT LAW

1400 ONE RIVERFRONT PLAZA  
LOUISVILLE, KENTUCKY 40202

(502) 584-6137

PUBLIC SERVICE  
COMMISSION

HENRY J. TILFORD (1880-1968)  
CHARLES W. DOBBINS (1916-1992)  
DONALD H. BALLEISEN (1924-1993)  
LAWRENCE W. WETHERBY (1908-1994)

TELECOPIERS  
(502) 584-2318  
(502) 587-1806

<sup>1</sup>Also admitted in Indiana  
<sup>2</sup>Also admitted in New York

<sup>3</sup>Also admitted in District of Columbia  
and Maryland

<sup>4</sup>Also admitted in District of Columbia

STUART E. ALEXANDER, JR.  
WILLIAM A. BUCKAWAY, JR.  
CHARLES W. DOBBINS, JR.  
TERRELL L. BLACK  
JOHN M. NADER<sup>3</sup>  
MARK W. DOBBINS  
STUART E. ALEXANDER, III  
JOHN A. WILMES  
SANDRA F. KEENE  
THOMAS J. B. HURST  
H. KEVIN EDDINS<sup>1</sup>

CAROLYN K. BALLEISEN<sup>\*2</sup>

RANDOLPH NOE<sup>\*1</sup>  
MICHAEL G. KAREM<sup>\*4</sup>  
<sup>\*</sup> Of Counsel

**NOTICE OF INTENT TO FILE A CELL SITE APPLICATION**

March 24, 1999

Stephanie Bell  
Secretary of the Commission  
Public Service Commission  
730 Schenkel Lane  
P.O. Box 615  
Frankfort, Kentucky 40602

**RE: Case No. 99-103 UAC**

Dear Ms. Bell:

This letter is to confirm my request for a case number on March 19, 1999. The Application is on behalf of SprintCom, Inc., for a cell site located at 307 North Main Street, Crittenden, Grant County, Kentucky. I was given Case Number 99-103 UAC. We intend to file the Application no later than May 14, 1999, and we understand that the Case Number assigned to us in this matter may be reassigned if we have not submitted an Application by this date. If there are any questions, you may contact Mark Dobbins, Sandra Keene, or Heather Kuhn at 502-584-6137.

Thank you for your attention in this matter.

Sincerely,



Sandra F. Keene